

**REMARKS**

In response to the Examiner's indication of a non-compliant Amendment and Reply, Applicant has revised the Amendment and Reply to properly indicate the subject matter amended in claim 2 (as instructed by the Examiner). As such, Applicant respectfully submits that the present Amendment and Reply is in condition for examination. If the Examiner has any issues or concerns regarding this change, or other issues relating to this response, he is strongly encouraged to contact the undersigned before issuing any new action.

Claims 1-4, 7-10, and 13-24 are currently being amended. After amending the claims as set forth above, claims 1-26 are now pending in this application.

As an initial matter, Applicant notes that various claims have been amended for clarity and stylistic purposes. In making these amendments, Applicant does not intend to narrow the scope of these claims, nor does it intend to surrender any claim scope with regard to the Doctrine of Equivalents. Should the Examiner have any questions concerning this issue, he is encouraged to contact the undersigned at his earliest convenience.

*I. Rejection under 35 U.S.C. § 101*

In the outstanding Office Action of September 29, 2008, claims 15-20 were objected to under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In particular, the Office Action asserts that "applicant has claimed a control program which does not provide tangibility." The Office Action suggests amending the claim to recite "a computer-readable medium storing a control program." In response to this rejection, and in accordance with the Office Action's suggestion, Applicant has amended independent claims 15 and 16 to recite "a computer program product embodied on a computer-readable storage medium." Support for the "computer-readable storage medium" may be found at paragraph [0112] of the present application, which describes a "program memory." In addition, further support for this amendment is illustrated in Figure 19 of the present application. Therefore, Applicant submits that the claim is fully supported by the disclosure as originally filed. Furthermore, Applicant submits that the amended claim is directed to statutory subject matter and is in accordance with Section § 2106.01 of the MPEP, which states that "[a] claimed computer-readable medium encoded with a data structure defines structural and functional

interrelationships between the data structure and the computer software and hardware component which permit the data structure's functionality to be realized, and is thus statutory." For at least these reasons, Applicant respectfully requests withdrawal of the rejection of claims 15-20.

*II. Rejection under 35 U.S.C. § 102(e)*

Claims 1-5, 7-11, 13-19, and 21-25 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,362,742 to Siddiqi et al. (Siddiqi). Applicant respectfully traverses this rejection for at least the reasons set forth below.

*A. Claims 1, 7, 15, and 21*

With regard to independent claims 1, 7, 15, and 21, the Office Action asserts that Siddiqi expressly or inherently disclosed each and every element recited in the claims. Applicant respectfully disagrees. Applicant submits that Siddiqi fails to expressly or inherently disclose "receiving packet transfer information retained in said access point and extracting an address of which a transfer destination is a wireless interface from said packet transfer information," as recited in independent claim 7 and similarly recited in independent claims 1, 15, and 21. (Emphasis added). In addition, Applicant submits that Siddiqi fails to expressly or inherently disclose "estimating that said terminal having said extracted address exists as a subordinate of the access point retaining said packet transfer information," as recited in independent claim 7 and similarly recited in independent claims 1, 15, and 21. (Emphasis added).

Siddiqi generally discusses a method for sending updates from an "authoritative access point" (AAP) to other AAPs, wherein the updates are related to other functioning access points (AP). To accomplish this, a copy of the AAP's "local subnet mapping table" is sent from a first AAP to other AAPs. (*See, e.g.*, Abstract, col. 4, lines 52-64, and col. 5, lines 7-19). Accordingly, Siddiqi is generally related to a method of updating AAPs via distribution of local subnet mapping tables.

In contrast, independent claims 1, 7, 15, and 21 recite receiving packet transfer information retained in said access point and extracting an address of which a transfer destination is a wireless interface from said packet transfer information. In other words, the

address of which the transfer destination becomes the wireless interface that is extracted. In addressing this claim feature, the Office Action cited column 9, lines 15-24 and lines 37-45<sup>1</sup>, which state (emphasis added):

FIG. 6 is a process flow diagram illustrating a method of synchronizing subnet mapping tables including subnet information among the Authoritative Access Points in accordance with various embodiments of the invention. Synchronization 602 is performed when a second AAP sends AP information such as a subnet mapping table or portion thereof to a first AAP. This may be accomplished in response to a SYNC message sent by the first AAP to one or more other AAPs that are configured on the first AAP as shown at block 604.

...

In accordance with one embodiment, the AAP 2 receiver attempts to add entries from the received subnet mapping table to its own subnet mapping table as shown at blocks 608 - 618. For each entry in the received table, AAP 2 checks if there are more entries at block 610. If there are no more entries in the received table to process, the process is completed at block 612. Otherwise, AAP 2 checks if each entry in the received table is in its own table at block 614. For instance, AAP 2 may determine whether the AP IP address is stored in its subnet mapping table.

Accordingly, the above-cited text merely describes that a first AAP sends a subnet mapping table to a second AAP. The second AAP receives the mapping table and adds entries into its own mapping table. Applicant respectfully submits that such a process is entirely unrelated to *extracting an address of which a transfer destination is a wireless interface* from said packet transfer information. At a minimum, there is no discussion of (1) an *extracting* process or (2) *an address of which a transfer destination is a wireless interface*.

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<sup>1</sup> Applicant notes that the Office Action has also cited Figure 6 as a basis for rejecting this claim element. However, the Office Action provides no explanation as to the relevance of this figure. Applicant is aware that figures are a part of a specification and that other portions of a reference may be relevant; however, because no explanation was given, and because the relation between Figure 6 of Siddiqi and the claim element is not readily apparent, Applicant submits that the Office Action fails to meet his burden of properly communicating a basis of the rejections. In other words, the Office Action cites to portions of references and has forced Applicant to attempt to deduce the basis of these rejections without any further explanation. The Office Action does essentially the same thing for the rejections of claims 2, 7, 8, 15, 16, 21, and 22 and 27, where the Office Action broadly refers to various figures as a basis for the rejection.

As such, Applicant respectfully submits that Siddiqi cannot properly anticipate this claim element.

Furthermore, independent claims 1, 7, 15, and 21 also recite estimating that a terminal having said extracted address exists as a subordinate of the access point retaining said packet transfer information. In addressing this claim element, the Office Action cites column 8, lines 25-34, which states (emphasis added):

FIG. 4 is a diagram illustrating an exemplary subnet mapping table that may be maintained by an AAP in accordance with various embodiments of the previous invention. As shown, a subnet mapping table 402 may store a plurality of entries, each storing AP information for one or more access points. As shown, each entry specifies a subnet mask 404 that may be used to ascertain a subnet associated with a gateway 406 (e.g., Home Agent IP address). The subnet is therefore associated with one or more APs that are coupled to the subnet. An IP address associated with one or more APs supported by the Home Agent are specified at 408.

Accordingly, the above-cited text describes the type of information included in a “subnet mapping table.” More particularly, the cited text describes that a subnet mask, home agent IP address, and AP IP address may be included in the mapping table. However, there is no discussion, or even a suggestion, related to *estimating* that said terminal having said extracted address *exists as a subordinate of the access point retaining said packet transfer information*. In fact, there is no discussion of a terminal or an address associated with a terminal, much less the concept of estimating if the terminal is a subordinate of an access point. Accordingly, Applicant respectfully submits that Siddiqi cannot properly anticipate this claim element.

For at least the above reasons, Applicant respectfully submits that Siddiqi fails to expressly or inherently disclose all of the claim elements required by independent claims 1, 7, 15, and 21, as required for an anticipation rejection. As such, Applicant respectfully requests withdrawal of the rejection of these claims.

*B. Claims 2, 8, 16, and 22*

With regard to independent claims 2, 8, 16, and 22, the Office Action asserts that Siddiqi expressly or inherently disclosed each and every element recited in the claims. Applicant respectfully disagrees. Applicant submits that Siddiqi fails to expressly or inherently disclose “receiving packet transfer information retained in said access point and extracting an address of which a transfer destination is a wireless interface from said packet transfer information,” as recited in claim 2 and similarly recited in claims 8, 16, and 22. (Emphasis added). In addition, Siddiqi fails to expressly or inherently discuss “investigating an operation situation of a terminal having said extracted address to determine if said terminal having said address has a connection with the access point retaining said packet transfer information,” as recited in claim 2 and similarly recited in claims 8, 16, and 22. (Emphasis added).

In addressing the first above-mentioned claim element (*i.e.*, extracting an address of which a transfer destination is a wireless interface from said packet transfer information), the Office Action again cites to column 9, lines 15-24 and lines 37-54. However, as discussed in detail above, the cited text merely describes that a first AAP sends a subnet mapping table to a second AAP. The second AAP receives the mapping table and adds entries to its own mapping table. Applicant respectfully submits that such a process is unrelated to *extracting an address of which a transfer destination is a wireless interface from said packet transfer information* from packet transfer information. At a minimum, there is no discussion of (1) an *extracting* process or (2) *an address of which a transfer destination is a wireless interface*. As such, Applicant respectfully submits that Siddiqi fails to anticipate this claim feature.

Furthermore, with regard to the second claim element (*i.e.*, investigating an operation situation of said terminal ....), the Office Action cites column 9, lines 53-58, which states (emphasis added):

If the entry is not in AAP 2 's table (e.g., the ADD command is successful), AAP 2 checks if the AP is alive at blocks 620 - 636. Specifically, AAP 2 sends an ALIVE packet to the AP IP address identified in the sending AAP's subnet mapping table entry at block 622. If the AP is active, it sends an ALIVE ACK

packet back to AAP 2 at block 624, which includes its current subnet address and Home Agent information (e.g., IP address).

Accordingly, the cited paragraph merely discusses that an AAP sends an ALIVE message to APs that are not in the AAP's table. The AP may respond with a subnet address and IP address if it is active. However, this discussion in Siddiqi does not expressly or inherently discuss or even hint at investigating an operation situation of a terminal having said extracted address to determine if said terminal having said address has a connection with the access point retaining said packet transfer information. First, there is no discussion of a terminal. Second, there is no discussion of investigating a terminal related to an extracted address. Third, there is no discussion of determining if a terminal has a connection with an access point. Instead, Siddiqi only discusses determining if an AP is active. Since determining if an access point is not the same as the required claim element, Applicant submits that Siddiqi does not anticipate this claim element.

For at least the above reasons, Applicant submits that Siddiqi does not properly anticipate independent claims 1, 2, 7, 8, 15, 16, 21, and 22. As such, Applicant respectfully requests withdrawal of the rejection of independent claims 1, 2, 7, 8, 15, 16, 21, and 22 and dependent claims 3-6, 9-14, 17-20, and 23-26 which each depend directly or indirectly from independent claims 1, 2, 7, 8, 15, 16, 21, and 22.

*II. Rejection under 35 U.S.C. § 103(a)*

Claims 6, 12, 20, and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Siddiqi in view of U.S. 2005/0060574 to Kime et al. (Kime). Applicant respectfully traverses this rejection for at least the reasons set forth below.

Applicant notes that the Kime reference was directed to specific limitations recited in the remaining dependent claims of the present application. However, each of these dependent claims include at least one of the deficiencies discussed above with regard to the independent claims and Applicant submits that none of these remaining cited references cure the deficiencies discussed above.

Because none of the references cited by the Examiner, either separately or in combination with each other, teaches or suggests all of the features recited in independent

claim 1, 2, 7, 8, 15, 16, 21, and 22, Applicant submits that independent claims 1, 2, 7, 8, 15, 16, 21, and 22 are patentable over these cited references. Furthermore, because dependent claims 3-6, 9-14, 17-20, and 23-26 are each directly or indirectly dependent upon independent claims 1, 2, 7, 8, 15, 16, 21, and 22, Applicant submits that each of these claims are allowable for at least the same reasons discussed above, in addition to their own reasons which Applicant reserves the right to argue at a later time if necessary.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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FOLEY & LARDNER LLP  
Customer Number: 22428  
Facsimile: (202) 672-5399

By  \_\_\_\_\_

George C. Beck  
Attorney for Applicant  
Registration No. 38,072

M. Aamir Haq  
Agent for Applicant  
Registration No. 61, 092  
Telephone: (202)672-5394